



1-18-08

JRW

PATENT 21350YP

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Shun-ichi Harada, et al.  
Serial No.: 10/579,605  
Dated Filed: May 17, 2006  
For: RHESUS MONKEY DICKKOPF-1, NUCLEOTIDES ENCODING SAME,  
AND USES THEREOF  
Art Unit: 1647  
Examiner: Daniel C. Gamett

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement mailed January 9, 2008, having a shortened statutory period set for reply which ends on February 8, 2007. In light of the fact that this response is being filed on January 17, 2008, the response is not accompanied by any fees. In the event, however, that an extension of time is deemed to be required, please treat this paper as an authorization under 37 C.F.R. §1.136(a) to charge Deposit Account No. 13-2755 the appropriate large entity fee, referencing attorney docket number

In compliance with 37 CFR 1.499 where applicants are required to elect a single invention to which the claims must be restricted, applicants elect Group II without traverse. The elected claims (10 and 12-16) are drawn to an isolated and purified rhesus dickkopf-1 (rbDkk-1) polypeptide and methods for determining whether an analyte is an antagonist of Dickkopf.

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 17, 2008EXPRESS MAIL NO. EV422534949US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.  
BY: *Gabriele B Crowley* DATE: 1/17/08  
GABRIELE B. CROWLEY

Applicants expressly reserve the right to pursue non-elected subject matter in subsequently filed divisional/continuing applications.

If the Examiner feels that a teleconference will advance the examination of this case on the merits by providing an opportunity for the Examiner to clarify the original restriction requirement or to create an alternative grouping of claims in light of the claim amendments presented in this response, Applicants' representative can be reached at the number provided below.

Respectfully submitted,

By   
Patricia Chisholm  
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Attorney

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Date: January 17, 2008